

86. A method for producing a cell for use in the method of claim 75, comprising introducing into a cell a nucleic acid comprising a composite binding site.
87. The method of claim 86, further comprising introducing into the cell a nucleic acid encoding the chimeric protein.
88. The method of claim 87, wherein the gene encodes a recombinant gene product.

Remarks

Claims 1-39 are pending. Claims 22, 23, 25, 26, 31-33, 35, and 37-39 have been canceled. New claims 40-88 have been added.

Support for new claims 40-88 can be found in the claims as originally filed and in the specification at the following sites. Support for new claims 42 and 81 can be found, e.g., in the paragraph bridging pages 12 and 13. Support for new claims 47 and 48 can be found, e.g., in the sentence bridging pages 12 and 13. Support for new claim 49 can be found, e.g., at page 25, lines 12-13. Support for new claim 50 can be found, e.g., at page 25, line 12. Support for new claim 51 can be found, e.g., at page 13, lines 2-3. Support for new claim 52 can be found, e.g., at page 12, lines 30-32. Support for new claim 53 can be found, e.g., at page 13, lines 5-6. Support for new claim 54 can be found, e.g., at page 5, line 9. Support for new claim 56 can be found, e.g., at page 27, lines 9-11. Support for new claims 66 and 76 can be found, e.g., at page 4, line 5. Support for new claims 67 and 77 can be found, e.g., at page 10, line 7. Support for new claim 68 and 78 can be found, e.g., at page 10, line 10. Support for new claims 60 and 79 can be found, e.g., at page 19, line 31. Support for new claims 60, 61, and 80 can be found, e.g., at page 10, line 13. Support for new claim 62 can be found, e.g., at page 12, line 35. Support for new claims 63 and 70 can be found, e.g., at page 22, line 29. Support for new claim 64 can be found, e.g., at page 22, line 32. Support for new claim 65 can be found, e.g., at page 3, lines 7-9. Support for new claims 66, 71, and 75 can be found, e.g., at page 2, lines 5-11. No new matter has been added.

Cancellation and/or amendment of claims should in no way be construed as an acquiescence to any of the Examiner's rejections. The cancellation and/or amendments to the claims are being made solely to expedite prosecution of the present application. Applicants

reserve the option to further prosecute the same or similar claims in the instant or in a subsequent patent application.

In a response (filed August 25, 1997) to a first restriction requirement under 35 U.S.C. § 1.121 (mailed July 22, 1997), Applicants elected Group I, i.e., claims 1-21, 27-28, and 36. In a second restriction requirement under 35 U.S.C. § 1.121 (mailed November 19, 1997), the Examiner required a further election of claims 1-21 (Group IA) and claims 27, 28, and 36 (Group IB).

Applicants respectfully request withdrawal of the previously elected Group (Group I, claims 1-21, 27, 28, and 36) and hereby elect with traverse the invention of Group III, i.e., claims 22, 23, 25, 26, 31-33, 35, and 37-39, with traverse. The shift from the invention of Group I to the invention of Group III should not be precluded by the Examiner since the shift results in no additional work or expense (MPEP § 819.01). Furthermore, a shift from claiming one invention to claiming another does not cause the application to be abandoned (*Meden v. Curtis*, 1905 C.D.272, 117 O.G. 1795 (Comm'r Pats 1905), cited in MPEP § 819.01).

Claims 22, 23, 25, 26, 31-33, 35, and 37-39 have been canceled and new claims 40-88 have been added. These new claims are drawn to the same type of claims as the original claims of Group III and should thus also be included in Group III.

Conclusion

If a telephone conversation with Applicant's Attorney would expedite prosecution of the above-identified application, the Examiner is urged to call the undersigned at (617) 832-1177

Respectfully submitted,

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Expires: April 16, 1998

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